



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Lehmann, et al.

Serial No. 10/706,701, filed November 12, 2003
(Ref. No. 21435 US)

For: **TREATMENT OF DISTURBANCES OF IRON DISTRIBUTION**

INFORMATION DISCLOSURE STATEMENT

Nutley, New Jersey 07110
February 11, 2004

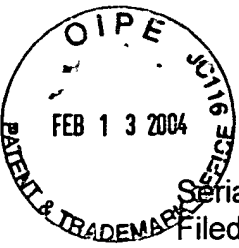
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents B1-B20, and C1-C8 listed on Form PTO-1449 are enclosed. Document B4 is not in the English language and is abstracted in Document C7. Document B19, is not in the English language and is abstracted in Document C8. Copies of documents A1 to A20 are not enclosed as they are U.S. patents.

Copies of documents B21-B26, and C9-C24 are not being submitted as they are made of reference in related U.S. application Serial No. 10/047,749, filed October 23, 2001, pending.



Serial No. 10/706,701
Filed: November 12, 2003

Consideration of all the documents cited on Form PTO-1449 is requested.

The Examiner's attention is particularly directed to

- P. Lehmann, M. Volkmann, J. Lotz, A. Baldauf, R. Roeddiger, poster presented at the AACC/CSCC, Annual Meeting, July 29 - August 2, 2001, Chicago Illinois.

The Examiner's attention is also directed to co-pending, co-owned US Serial No. 10/634,477, filed August 4, 2003 (Case Docket No. 21368), a copy of which is enclosed.

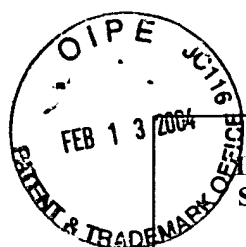
Since the Information Disclosure Statement is submitted before the mailing of the first Office Action on the merits or within three months of the filing date for the above application, no fee is due.

Respectfully submitted,


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Enclosures

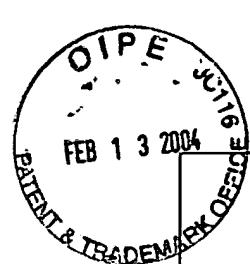
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Substitute for form 1449A/PTO				Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/706,701		
(Use several sheets if necessary)				Filing Date	November 12, 2003		
				First Name Inventor	Lehmann, et al.		
Sheet	1	of	3	Attorney Docket Number	21435 US		
U.S. PATENT DOCUMENTS							
Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY		
		Number	Kind Code ² (if known)				
	A1	4,179,337		Davis et al.	12/18/1979		
	A2	4,745,099		Akamatsu et al.	05/17/1988		
	A3	5,272,071		Chappel	12/21/1993		
	A4	5,324,650		Obzansky et al.	06/28/1994		
	A5	5,359,030		Ekwuribe	10/25/1994		
	A6	5,376,632		Konings et al.	12/27/1994		
	A7	5,541,158		Vance et al.	07/30/1996		
	A8	5,641,670		Treco et al.	06/24/1997		
	A9	5,672,662		Harris et al.	09/30/1997		
	A10	5,681,811		Ekwuribe	10/28/1997		
	A11	5,733,746		Treco et al.	03/31/1998		
	A12	5,733,761		Treco et al.	03/31/1998		
	A13	5,981,214		Skoultchi	11/09/1999		
	A14	5,994,127		Selden et al.	11/30/1999		
	A15	6,333,306		Lehmann et al.	12/25/2001		
	A16	6,340,742		Burg et al.	01/22/2002		
	A17	6,372,715		Kaltwasser et al.	04/16/2002		
	A18	6,528,313		Le Mouellic et al.	03/04/2003		
	A19	6,583,272		Bailon	06/24/2003		
	A20	US 2002/0160956 A1		Lehmann et al.	10/2002		
FOREIGN PATENT DOCUMENTS							
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	B1	WO 93/09222			Transkaryotic Therapies, Inc.	05/13/1993	
	B2	WO 94/12650			Transkaryotic Therapies, Inc.	06/09/1994	
	B3	WO 95/31560			Transkaryotic Therapies, Inc.	11/23/1995	
	B4	WO 90/11354			Institut Pasteur	10/04/1990	
	B5	WO 91/06667			Cell Genesys Inc.	05/16/1991	
	B6	WO 91/09955			Applied Research Systems	07/11/1991	
	B7	WO 01/02017			F.Hoffmann-La Roche AG	01/11/2001	
	B8	EP 1064951			F.Hoffmann-La Roche AG	01/03/2001	
Examiner Signature					DATE CONSIDERED		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation or abstract is attached.



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Sheet	2	of	3	Attorney Docket Number	21435 US

FOREIGN PATENT DOCUMENTS

Examiner Initials ⁷	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	B9	EP	539167		Ortho Pharmaceutical Corp.	04/28/1993	
	B10	EP	605963		Ortho Pharmaceutical Corp.	07/13/1994	
	B11	WO	93/25212		Amgen Inc.	12/23/1993	
	B12	WO	94/20069		Amgen Inc.	09/15/1994	
	B13	WO	95/11924		Enzon, Inc.	05/04/1995	
	B14	EP	584876		Sterling Winthrop Inc.	03/02/1994	
	B15	WO	92/16555		Enzon, Inc.	10/01/1992	
	B16	WO	94/28024		Enzon, Inc.	12/08/1994	
	B17	WO	97/04796		Protein Delivery, Inc.	02/13/1997	
	B18	WO	98/32466		Polymasc Pharmaceutical PLC	07/30/1998	
	B19	DE	3924705		Boehringer Mannheim GmbH	01/31/1991	
	B20	WO	01/87329		F.Hoffmann-La Roche AG	11/22/2001	
	B21	EP	640619		Amgen Inc.	03/01/1995	
	B22	EP	0411678		Genetics Institute Inc.	02/06/1991	
	B23	EP	0205564		Genetics Institute Inc.	12/30/1986	
	B24	EP	0286439		Ortho Pharmaceutical Corp.	10/12/1988	
	B25	WO	97/09996		Boehringer Mannheim GmbH	03/20/1997	
	B26	WO	98/41226		Boehringer Mannheim GmbH	09/24/1998	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials ⁷	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	C1	P. Lehmann, M. Volkmann, J. Lotz, A. Baldauf, R. Roeddiger, poster presented at the AACC/CSCC, Annual Meeting, July 29 - August 2, 2001, Chicago Illinois	
	C2	March J., Advanced Organic Chemistry, McGraw-Hill, 1977, pgs. 375-376	
	C3	Grasetti, D. R. & Murray, J. F., J. Appl. Biochem. Biotechnol. 119, pgs. 41-49, 1967	
	C4	Morpurgo M. et al., J. Bioconj. Chem. (1996) Vol. 7, pgs. 363-368	
	C5	Hermanson, G. T. Bioconjugate Techniques Academic Press, San Diego (1996) pgs. 147-148	
	C6	Annable, et al. Bull. Wld. Hlth. Org. (1972) Vol. 47 pgs. 99-112	
	C7	Abstract corresponding to WO 90/11354 (B4)	
	C8	Abstract corresponding to DE 3924705 (B19)	
Examiner Signature			DATE CONSIDERED

⁷EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		Attorney Docket Number	21435 US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	C9	Grützmacher P., et al., <i>Clinical Nephrology</i> , vol. 38, pp 92-97, 1992	
	C10	Wick, M.; Pinggera, W.; Lehmann, P., <i>Eisenstoffwechsel Diagnostik und Therapie der Anämien</i> , 3 rd Edition, Springer, Wien, NY, pp 5-14, 38-55, 65-80, 94-98, Sept. 1996	
	C11	Sunder-Plassmann G., et al., <i>Journal of the American Society of Nephrology</i> , 5, (3), pp 478 (1994).	
	C12	Gasche C., et al., <i>Dig. Dis. Sci.</i> , 39, (9) pp 1930-4 (1994).	
	C13	Sunder-Plassmann G., et al., <i>Nephrology Dialysis Transplantation</i> , 10, (11), pp 2070-2076 (1995).	
	C14	Mercuriali F. et al., <i>Erythropoiesis: New Dimensions in the Treatment of Anaemia</i> , 6/3, pp 67-76, (1995).	
	C15	Sunder-Plassmann G., et al., <i>Nephrology Dialysis Transplantation</i> , 11, (9), pp 1797-1802, (1996).	
	C16	Taylor J. E., et al., <i>Nephrology Dialysis Transplantation</i> , 11, (6), pp 1079-1083, (1996).	
	C17	Breymann, et al., <i>Eur. J. Clin. Invest.</i> , pp 123-30.	
	C18	Goodnough, et al., <i>Haematology</i> , 1(2), pp 163-166.	
	C19	MacDougall (1994) Monitoring of Iron Status & Iron Supplementation in Patients Treated with Erythropoietin. <i>Current Opinion in Nephrology & Hypertension</i> 3(6) pgs. 620-625	
	C20	Taylor et al. (1996) Regular low-dose Intravenous Iron Therapy Improves Response to Erythropoietin in Haemodialysis Patients. <i>Nephrology, Dialysis, & Transplantation</i> 11(6) pgs. 1079-1083	
	C21	Means, Jr. (1995) Erythropoietin in the Treatment of Anemia in Chronic Infectious, Inflammatory, & Malignant Diseases. <i>Current Opinion in Hematology</i> 2(3) pgs. 210-213	
	C22	Adamson (1996) Erythropoietin, Iron Metabolism, & Red Blood Cell Production. <i>Seminars In Hematology</i> 33(2) pgs. 5-9	
	C23	Mercuriali & Inghilleri (1995) Iron Administration to Optimize the Effect of r-HuEPO in the Surgical Setting. <i>Erythropoiesis: New Dimensions in the Treatment of Anemia</i> 6(3) pgs. 67-76	
	C24	Pincus et al. (August, 1990) Multicultural Study of Recombinant Human Erythropoietin in Correction of Anemia in Rheumatoid Arthritis. <i>The American Journal of Medicine</i> 89(2) pgs. 161-168.	

Examiner Signature	DATE CONSIDERED
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